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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S-04-445 MCE
)	
Plaintiff-Appellee,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING APPEAL HEARING AND
v.)	BRIEFING SCHEDULE
)	
JOACHIM BENZ,)	
)	Date: April 26, 2005
Defendant-Appellant.)	Time: 8:30 a.m.
)	Judge: Hon. Morrison C. England

IT IS HEREBY STIPULATED and agreed to between the United States of America through SAMANTHA S. SPANGLER, Assistant United States Attorney, and defendant, JOACHIM BENZ, by and through his counsel, LIVIA MORALES, Staff Attorney, that the parties have agreed to amend the briefing schedule in this magistrate judge appeal as set forth below, and to reschedule oral argument from April 26 to June 14, 2005, at 8:30 a.m.

Appellant's opening brief and excerpts of record were filed on March 22, 2005.

Appellee's opposition and any supplemental excerpts may be filed by Tuesday, April 26, 2005.

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1 Appellant's reply brief may be filed no later than Tuesday,
2 May 10, 2005.

3 Oral argument shall be held on Tuesday, June 14, 2005, at
4 8:30 a.m.

5 The defendant is currently not in custody.

6 DATED: April 12, 2005

7 McGREGOR W. SCOTT
8 United States Attorney

9 By: /s/
10 SAMANTHA S. SPANGLER
11 Assistant U.S. Attorney

12 DATED: April 12, 2005

13 QUIN DENVIR
14 Federal Defender

15 By: /s/
16 LIVIA R. MORALES
17 Attorney for Defendant
18 JOACHIM BENZ

19 **ORDER**

20 IT IS SO ORDERED.

21 DATED: April 15, 2005

22 
23 MORRISON C. ENGLAND, JR.
24 UNITED STATES DISTRICT JUDGE
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